

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

MARIA McNULTY, *et al.*

\*

*Plaintiffs,*

\*

v.

\*

Case No.: 8:21-cv-1226-CBD

POTOMAC ELECTRIC POWER COMPANY,

\*

Magistrate Judge Charles B. Day

*et al.*

\*

*Defendants.*

\*

\* \* \* \* \*

**DEFENDANT POTOMAC ELECTRIC POWER COMPANY'S**  
**STATEMENT REGARDING REMOVAL**

Defendant, Potomac Electric Power Company ("Pepco"), by and through its undersigned counsel, Alan B. Neurick and Neurick LLC, hereby submits this Statement Regarding Removal as required by this Honorable Court's Standing Order Concerning Removal, and, in support thereof, states as follows:

1. Pepco was served with a copy of the summons and complaint on April 19, 2021. For Defendant Avante Ellsworth Venture I, LLC ("Avante"), a copy of the summons and complaint was received by its statutory agent, the Maryland State Department of Assessments and Taxation, on or about April 12, 2021 and forwarded by same to Avante on or about April 23, 2021.
2. No defendant is a citizen of Maryland.
3. Pepco timely removed this action within thirty (30) days of the date it was served; Pepco removed this action from state court on May 18, 2021.

4. The action in state court was commenced less than a year prior to the date of removal; on or about March 30, 2021, Plaintiff commenced this litigation by filing a Complaint in the Circuit Court of Maryland for Montgomery County and docketed at Case No.: 485276-V.

5. Defendant Avante was served in the state court action prior to the time of removal and consented to Pepco's notice of removal through an authorized representative. Upon information and belief Avante has not yet retained a counsel of record.

WHEREFORE, Defendant Pepco respectfully requests that the United States District Court for the District of Maryland retain jurisdiction over this matter pursuant to Defendant Pepco's Notice of Removal.

/S/ Alan B. Neurick

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Alan B. Neurick (#14607)  
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*Attorney for Defendant Pepco*

Dated: June 1, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will automatically send email notification of such filing to all attorneys of record, and/or emailed a true and correct copy of the foregoing to the following:

Thomas W. Mitchell, Esq.  
Mitchell Firm, PLLC  
7625 Wisconsin Avenue, Third Floor  
Bethesda, Maryland 20814

and that a true and correct copy of the foregoing was mailed via first-class U.S. mail, postage prepaid, to:

Avante Ellsworth Venture I, LLC  
Serve: State Department of Assessments & Taxation  
Room 801  
301 W. Preston Street  
Baltimore, Maryland 21201

/S/ Alan B. Neurick

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Alan B. Neurick, Bar No.: 14607